**THE HON'BLE SRI JUSTICE D.S.R.VARMA**
**AND**
**THE HON'BLE SRI JUSTICE D. APPA RAO**

**Taken up Writ Petition No.3184 of 2007**

**Date: 22-02-2007**

Between:

E. Ramanna Goud, s/o. Narayana Goud,
Aged about 72 years,
Occ: President of Rythu Coolie Sangam,
R/o. Emiganoor village, Kurnool District.

… Petitioner/s

And

The Station House Officer,
Balkonda P.S.,
Nizamabad District and 3 others.

… Respondent/s

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**ORAL ORDER:** (per the Hon'ble Sri Justice D. Appa Rao)

Heard the learned Assistant Government Pleader, representing the learned Advocate General, appearing for the respondents.

2. The petitioner seeks a Writ of Mandamus for production of the detenus, namely (1) Sri Rachamalla Saibaba @ Ravindra, S/o. Kishan, aged about 35 years, resident of Maklunoor village of Nizamabad District; and (2) Sri Kiran, aged about 26 years, resident of Nizamabad District; alleging that they were taken away by the police at about 3-00 A.M. on 18-02-2007 and were not produced before the Court.

3. The S.I. of Police, Balakonda Police Station, first respondent herein, filed a counter affidavit stating that the first detenu was arrested by Makloor Police in connection with Crime No.20 of 2007 registered for the offence under Section 379 of I.P.C., on 19-02-2007 and was produced before the Judicial Magistrate of First Class, Nizamabad, on 20-02-2007, and the learned Magistrate has remanded him to judicial custody. Insofar as second detenu is concerned, it is stated that he

was arrested in connection with Crime No.28 of 2007 registered for the offence under Section 384 of I.P.C., and Section 3 (ii) of A.P. Control of Organized Crime, 2001, and was produced before the learned Judicial First Class Magistrate, Armoor, on 20-02-2007, and the learned Magistrate has remanded him to judicial custody.

4. Under the above circumstances, since the alleged detenus were arrested in connection with the above said crimes and were produced before the Magistrates concerned, nothing further survives in this writ petition and the same is liable to be closed.

5. The writ petition is accordingly closed, at the stage of admission. However, there shall be no order as to costs.

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JUSTICE D.S.R.VARMA

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JUSTICE D. APPA RAO

22-02-2007.
Msr.

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(Msr)